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December 16, 2022

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. James R. Cho, U.S.M.J.
225 Cadman Plaza East
Courtroom 11D South
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Cho:

This office represents the Plaintiff IME WatchDog, Inc. ("Plaintiff") in the above-referenced case. Plaintiff writes to respectfully request an extension of time of two (2) month for the parties to serve affirmative expert disclosures.

Consistent with ¶ C(2) of this Court's Individual Practices, Plaintiff submits that: (i) the current deadline to serve affirmative expert disclosures is today, December 16, 2022; (ii-iii) there have been no previous requests for an extension of time to comply with this specific deadline; (iv) all parties consent to this request; and (v) while Plaintiff submits that the requested extension would affect other scheduled deadlines (but not Court appearances), Plaintiff plans to seek an appropriate extension of time to complete discovery because Plaintiff is still not in receipt of any content findings from the forensic examiner.

The reason for the request is that Plaintiff needs additional time to retain an expert. Accordingly, good cause and excusable neglect exist to warrant an extension of time of this deadline from December 16, 2022 to February 16, 2022, as Plaintiff is not in control as to when it may receive documents from the forensic examiner, which documents play an important role with respect to an expert. See Fed. R. Civ. P. 6(b)(1)(B).

The parties thank this honorable Court for its time, attention, and anticipated courtesies in this case.

Dated: Lake Success, New York
December 16, 2022

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

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